

CORRECTED FISCAL NOTE

HB 2267 - SB 2216

April 25, 2007

SUMMARY OF BILL: By statute, adds Carisoprodol to the controlled substances schedule.

ESTIMATED FISCAL IMPACT:

On March 26, 2007, we issued a fiscal note which indicated a *minimal increase in state expenditures*. Based on the additional information provided to us, the estimated fiscal impact of this bill is:

(CORRECTED)

Increase State Expenditures - \$2,200 / Incarceration*

Increase Local Govt. Expenditures – Not Significant

Increase Local Govt. Revenues – Not Significant

Assumptions:

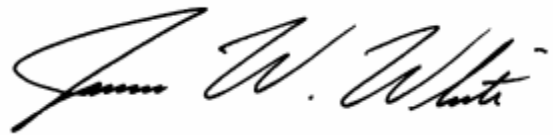
- According to the Department of Mental Health and Developmental Disabilities and the Department of Health, this bill codifies drugs that have already been administratively scheduled and are already scheduled under federal law with one exception, Carisoprodol. There would not be an additional cost to these departments since the two commissioners are already empowered to schedule drugs.
- Carisoprodol is a metabolite of Meprobamate which is a Schedule IV substance; however, according to the District Attorneys General, that does not make Carisoprodol a Schedule IV substance.
- The addition of Carisoprodol to the controlled substances schedule will increase state expenditures for incarceration costs. One Class E felony every three years with 0.3 years time served (109.58 days). The annualized time served per conviction is 36.16 days (0.33 annual number of convictions x 109.58 days served). According to the Department of Correction, the average operating cost per inmate per day for calendar year 2007 is \$60.16. The annualized cost per conviction is \$2,175.39 (0.33 x 109.58 x \$60.16).
- No significant incarceration cost increase will occur due to population growth in this period.

- There will not be a sufficient additional number of prosecutions for local governments to experience any significant increase in revenues or expenses.
- The Tennessee Bureau of Investigation will not require additional resources due to the estimated number of additional prosecutions as a result of this bill.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director